REMARKS

Claims 1-3, 5, 7, 8, and 10-14 are pending in the application. By this amendment, Claims 15-22 are cancelled.

Claims 1-3, 10, 13, and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Slopsema (US 2002/0179031) and Malik (US 4,364,343). The Examiner asserts that Slopsema discloses an engine controller which controls airflow when an engine is shut down. The Examiner admits, however, that Slopsema does not teach a switch coupled to an ignition enabling device and fuel system such that the controller also disables the fuel system when the ignition enabling device is switched off. The Examiner therefore cites Malik for a switch 139 coupled to a controller. The Examiner argues that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the switch and fuel supply disabling system taught by Malik into a vehicle shutdown system taught by Slopsema. The Examiner asserts that motivation "would have been to reduce fuel consumption and emissions", citing Malik at Col. 1, lines 1-25. Applicants respectfully traverse this rejection and request that each of Claims 1-3, 5, 7, 8, and 10-14 be reconsidered in view of these *remarks and passed to issue over the Examiner's rejection.*

Applicants respectfully submit that neither Slopsema, nor Malik, whether taken singly, or in combination with each other, either teach or suggest Applicants' claimed invention. Moreover, this conclusion is supported by the absence of any motivation to combine the teachings of Slopsema and Malik.

As set forth in Applicants' Claim 1, a vehicle shutdown system includes an ignition-enabling device and engine controller which maintains operation of at least a portion of the controller functions temporarily when the ignition enabling device is switched to an off state. The controller functions to operate a non-idle air valve and also disables the fuel supply system when the ignition-enabling device is switched to an off state. In Claim 14, the control of the reduced airflow is further described as less than the airflow in a throttle-controlled default position. Thus, Applicants claim controlling airflow and shutting off fuel.

Slopsema discloses controlling airflow attendant engine shutdown, whereas Malik teaches shutting off the fuel and then turning the fuel back on to provide a combustible mixture to the cylinders for re-starting the engine. The avowed purpose of Slopsema is to avoid engine vibration on shutdown, whereas the avowed purpose of Malik is to provide a restartable mixture with the engine. Accordingly, no one would be motivated to combine Slopsema and Malik. Moreover, the switch 139 cited by the Examiner is a manual switch which merely enables Malik's controller to operate with a shutdown strategy notwithstanding that the vehicle has not

attained a certain minimal speed. Accordingly, Malik's switch 139 is not a switch which shuts *down the fuel supply to the engine. Rather, it is a switch which enables the entire operating* system and in this regard, Malik's switch 139 is little different from an ignition switch. Accordingly, the combination of Slopsema and Malik cannot comprise a colorable basis for rejection of any of Applicants' claims, including independent Claims 1 and 14 and those claims depending from Claim 1, namely Claims 3, 5, 7, 8, and 10-13. Each of the claims in this case is therefore allowable and should be passed to issue over the Examiner's rejection. Such action is earnestly solicited.

Respectfully submitted,

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